

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES DOUGLAS SMITH,

Plaintiff,

v.

**STATE OF TENNESSEE, BOARD OF PAROLE,
KENYA BROWN,**

Defendants.

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Case No. 3:13-mc-0136

Judge Campbell

ORDER

James Douglas Smith, a state prisoner incarcerated at the Metro-Davidson County Detention Facility in Nashville, Tennessee, has filed a document titled "Civil Complaint" in which he alleges that he was "interviewed for Parole" on September 24, 2013. (ECF No. 1, at 1.) He states that the recording of the interview will reveal that he was recommended for parole on his eligibility date, but that, due to the actions of Kenya Brown, he has not been released on parole. The plaintiff seeks both release on parole and damages in the amount of \$1,000 per day until the matter is resolved. The plaintiff's "civil complaint" is not the Court's approved form § 1983 complaint for civil rights violations, and the plaintiff did not submit with his complaint either the \$350.00 filing fee plus \$50.00 administrative fee, or an application to proceed in district court without prepaying fees and costs.

A complaint may not be filed as a civil action or considered on the merits unless it is accompanied by the appropriate fee, 28 U.S.C. § 1914(a), or by an application to proceed *in forma pauperis*, 28 U.S.C. § 1915(a)(1). The latter, to be considered by the court, must be signed and notarized by an appropriate prison official as set forth in Administrative Order 93, and accompanied by a certified copy of the plaintiff's trust fund account statement (or institutional equivalent) for the 6-month period immediately preceding the filing of the complaint, obtained from the appropriate official at each prison in which the plaintiff has been confined during that 6-month period. 28 U.S.C. § 1915(a)(2).

The Clerk of Court is **DIRECTED** to mail the plaintiff a blank application to proceed *in forma pauperis*, a copy of Administrative Order 93, and a blank form complaint for an action under 42 U.S.C. § 1983. If the

plaintiff seeks to have this Court consider his pleading, he **MUST** either pay the \$400.00 filing fee in full or complete the application to proceed *in forma pauperis* and return the properly completed application to the Court. In addition, he **MUST** complete the form § 1983 complaint and return it at the same time. The plaintiff's submissions must be received in this court within **30 days** of the date this order is entered on the docket. The submissions must include the temporary docket number assigned to this case, **No. 3:13-mc-0136**.

The plaintiff is forewarned that, should he fail to comply with the instructions of the Court within the 30-day time limit, his petition may be denied and this action dismissed for failure to comply with the instructions of the Court and for want of prosecution. Fed. R. Civ. P. 41(b).

It is so **ORDERED**.

A handwritten signature in cursive script that reads "Todd Campbell".

Todd Campbell
United States District Judge